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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
595 MINER ROAD
CLEVELAND, OH 44143

EXAMINER

VARGAS, DIXOMARA

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,987	Applicant(s) RAJMAKERS ET AL.	
	Examiner DIXOMARA VARGAS	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10,11 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 2,9,12,16 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/27/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, including claims 1-9 and 11-17 as amended in the reply filed on 02/27/08 is acknowledged. Due to the amendment filed, the restriction requirement has been withdrawn.

Claim Objections

2. Claims 1, 3, 5, 7-8 and 11, are objected to because of the following informalities: the terms "signalling means" are considered to be a typographical error for "signaling means". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-4, 6-8, 11 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Frederick et al. (US 6,658,322 B1).

With respect to claim 1, Frederick discloses a storage space for elements which are used in a medical activity, comprising (as seen in Figures 3 and 4): a plurality of partitions which each are dedicated to receiving a certain type of element assigned to a predetermined medical activity (multiple shelves #904 with multiple sub-divisions #920

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in each shelf forming storage locations #918 to store medical items as described in Abstract), a user interface for selecting a preferred medical activity from a plurality of medical activities, wherein each partition comprises signaling means which provide a signal, dependent on the selected medical activity, to indicate the correct element to be used for the selected activity (Columns 6-8, lines 11-37, 34-45 and 9-19 respectively; Figure 1, user interface #880 or #846 that controls the access and indicates the content of the cabinet wherein the signaling is constitute by the information visible in the screen).

5. With respect to claim 3, Frederick discloses the signaling means provide visual signals (Columns 6-8, lines 11-37, 34-45 and 9-19 respectively; Figure 1, user interface #880 or #846 that controls the access and indicates the content of the cabinet wherein the signaling is constitute by the information visible in the screen of any of #880 or #846).

6. With respect to claim 4, Frederick discloses each partition is provided with a lighting device, which is activatable through the selection of the medical activity by a user (Columns 7 and 15, lines 62-65 and 4-13 respectively).

7. With respect to claim 6, Frederick discloses the user interface comprises means for selecting a medical activity from a plurality of medical activities, said means being chosen from a group including voice control, touch screen, buttons, and computer keyboard (Figure 1, keyboard as seen on the Figure but not numbered of systems #846 and #880).

8. With respect to claim 7, Frederick discloses reading means for reading data which are provided in an identifier which is comprised in each element to be stored in the storage space, and control means for controlling the signaling means for indicating the

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correct partition to store the element, based on the data in the identifier (Column 6, lines 11-59, Figure 1, wherein the computer systems include a tracking system with virtual storage that identify the element and the location of the element to be used inside the cabinet and in the virtual storage system).

9. With respect to claim 8, Frederick discloses the element comprises an identifier with data relating to storage partition location, which are readable by reading means provided in the storage space, for identifying the correct partition to store the element via the signaling means (Column 6, lines 11-59, Figure 1, wherein the computer systems include a tracking system with virtual storage that identify the element and the location of the element to be used inside the cabinet including the shelf and subdivision in the shelf and in the virtual storage system).

10. With respect to claim 11, Frederick discloses a method of storing elements which are used in a medical activity, comprising the steps of: providing a plurality of partitions which each are dedicated to receiving a certain type of element assigned to a predetermined medical activity (multiple shelves #904 with multiple sub-divisions #920 in each shelf forming storage locations #918 to store medical items as described in Abstract), providing a user interface for selecting a preferred medical activity from a plurality of medical activities, and upon selection of a preferred medical activity from a plurality of medical activities, providing a signal, dependent on the selected medical activity, to indicate the correct element to be used for the selected activity (Columns 6-8, lines 11-37, 34-45 and 9-19 respectively; Figure 1, user interface #880 or #846 that

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controls the access and indicates the content of the cabinet wherein the signaling is constitute by the information visible in the screen).

11. With respect to claim 13, Frederick discloses the step wherein when an element is brought to the partition storage, sensing an element identification; signaling a corresponding one of the partitions in accordance with the sensed element identification (Column 6, lines 11-59, Figure 1, wherein the computer systems include a tracking system with virtual storage that identify the element and the location of the element to be used or stored inside the cabinet including the shelf and subdivision in the shelf and in the virtual storage system).

12. With respect to claim 14, Frederick discloses a storage system for storing elements which are used in medical activities, the storage system comprising (as seen in Figures 1-4): a plurality of partitions, each configured to store a corresponding element (multiple shelves #904 with multiple sub-divisions #920 in each shelf forming storage locations #918 to store medical items as described in Abstract); an interface through which a user designates a selected medical activity; a visual indicator device which provides a visible indication of a partition configured to hold the corresponding element to be used in the selected medical activity (Columns 6-8, lines 11-37, 34-45 and 9-19 respectively; Figure 1, user interface #880 or #846 that controls the access and indicates the content of the cabinet wherein the signaling is constitute by the information visible in the screen showing the location inside the cabinet of the element to be used or stored).

13. With respect to claim 15, Frederick discloses the elements include electrically readable identifiers and further including: an electronic identification reader configured to

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read the electric identifier of a one of the elements to be stored, the visual indicator device providing the visible indication of the partition configured to store the identified element (Column 6, lines 11-59, Figure 1, wherein the computer systems include a tracking system with virtual storage that identify the element and the location of the element to be used or stored inside the cabinet including the shelf and subdivision in the shelf and in the virtual storage system).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

16. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frederick et al. (US 6,658,322 B1) in view of Frederick (US 6,788,997 B1).

With respect to claim 5, Frederick ('322) discloses the claimed invention as stated above in paragraph 4 except for the signaling means provide audio signals. However, Frederick ('997) discloses the signaling means provide audio signals (Column 18, lines 47-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have signaling means providing audio signs as taught by Frederick ('997) with Frederick's storage space for elements which are used in a medical activity ('322) for the purpose of having a suitable form of signal to the user in accordance to the user's necessities to let the user know the information required about the elements to be used from the cabinet.

Allowable Subject Matter

17. Claims 2, 9, 12, 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. The following is a statement of reasons for the indication of allowable subject matter:

- a. With respect to claim 2, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a storage space for elements which are used in a medical activity, comprising elements wherein said elements comprise magnetic coils, and the medical activity comprises Magnetic Resonance Imaging in combination with the remaining limitations of claim 1 above.

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b. With respect to claim 9, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a storage space for elements which are used in a medical activity, comprising the elements include different types of magnetic coils for different examination procedures, each coil including a coil identifier and further including reading means for reading data from the coil identifier of each coil, and means for indicating a correct position of a selected one of the coils relative to an MRI device for a selected one of the examination procedures, based on the data in the identifiers in combination with the remaining limitations of claim 1 above.

c. With respect to claim 12, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a method of storing elements which are used in a medical activity, comprising the step wherein the elements include insertable MRI coils in combination with the remaining limitations of claim 11 above.

d. With respect to claim 16, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a storage system for storing elements which are used are used in medical activities, the storage system comprising elements wherein said elements include magnetic resonance imaging coils in combination with the remaining limitations of claim 14 above.

e. With respect to claim 17, the claim has been found allowable due to its dependency on claim 16 above.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIXOMARA VARGAS whose telephone number is (571)272-2252. The examiner can normally be reached on Monday to Thursday from 8:00 am. to 4:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dixomara Vargas/
Patent Examiner,
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